The Rutherford Star.

"BE SURE YOU ARE RIGHT AND THEN GO AHEAD."—DAVY CROCKET.

VOL. III. RUTHERFORDTON, N. C. THURSDAY, MARCH 6, 1869. NO. 7.

THE

Rutherford Star.

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RUTHERFORDTON, N. C.

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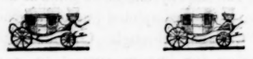

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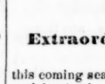

THIS WELL KNOWN HOUSE is now under the control and management of the undersigned who solicit a share of the public patronage. The House has recently been thoroughly repaired and refurnished, and no exertions will be spared to make patrons comfortable.

THE TABLE will be furnished with the best the country affords. Refreshments of all sorts can be found at the Bar.

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feb13-3m J. L. STEAGALL

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jan, 9–3m. no 49

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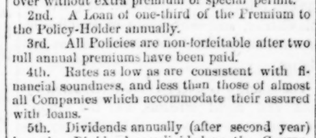

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STAY LAW.

Declared Unconstitutional by the Supreme Court.

Opinion of Justice Read.

[Reported for the Standard]

IN THE CASE OF JACOBS *vs.* UNDERWOOD

It ought to be, and it is with us, the gravest duty to decide between the Constitution and a legislative enactment. It is settled that whenever such a question arises, every responsible presumption is in favor of the validity of the enactment, and against the alleged repugnance. Nor is it ever to be presumed that the Legislature *intends* an infringement of the Constitution, even when the infringement is palpable; but it is to be set down to inadvertence, or mistake, or unconscious bias from pressing circumstances. The duty is not only grave but painful, when great public interests are involved, or the public mind is excited and anxious, by reason of the multiplicity of individual interests, which are at stake. But still the Judge has but one guide—*duty*. To maintain and enfore legislative enactments is important, but to maintain and defend the constitution is paramount.

The Constitution of the United States provides that "no State shall pass any law impairing the obligation of contracts."

The obligation of a contract is *the duty of its performance*—a full and complete *compliance with its terms.*

Any statute which relieves a party from this duty, or enables him to evade it, is void.

An occasional, if not a frequent recurrence to fundamental principles is useful. Let us, therefore, consider *why* it was thought necessary by those who formed our government, to make this provision in the United States Constitution. Every word of that instrument was well considered; every principle was founded in patriotism and virtue. Those who had fled from error, and staked all for truth and justice—great and good men—framed a government in which virtue and intelligence were to be the powers; capital, privilege, monopoly, rank, had their day and were discarded. Upon a new soil and in fresh clime, a government was inaugurated founded upon the virtue and intelligence of those who were of it. Very few were rich; the masses were poor; and those who were expected to come under it by immigration were to be poorer still; and the whole body were dependent upon industry and integrity for prosperity. Under these circumstances, what was necessary for the business and prosperity of such a community? If it had been left to the control of capital, the few who had it would have had a monopoly, and industry and enterprise would have been paralyzed. To prevent this, integrity was put in competition with capital indeed almost to supply its place.—Every man's word was to be his bond, and every bond—every contract—was to be unavoidable. Not only was the capitalist assured that if he would venture his capital for the interest of the community he should have every guarantee for its safety, but the laborer was assured that industry should have its reward; that in the absence of capital to "pay down," industry and enterprise need not falter, because a *promise* of reward should never be evaded or impaired. It will be seen therefore, that the provision was not so much for the protection of capital, as for the encouragement of industry and enterprise. It was a guaranty of justice to all, and is expressly against him who would obtain the profits of industry, and withhold the reward. It is a provision in favor of industry and honesty, and against idleness and treachery.

Probably the wisdom of our ancestors could not be more clearly vindicated than it is by the circumstances which now surround us. Let it be supposed that there are in the State 200,000 persons acting for themselves: one third of them, the colored portion, are neither creditors nor debtors to any considerable amount, and are dependant upon their labor for subsistence; and that depends upon the inviolability of contracts. Another third, one-half the whites, are small farmers and laborers, dependent upon the rewards of industry. The other third may represent the creditor and debtor classes. Of these there are, doubtless, meritorious cases on each side. On one side there may be the exacting shylock creditor, and on the other the exhausted, unfortunate debtor. On the one side there may be the widow or the orphan creditor, and on the other the showy spendthrift debtor. It is impossible to make general rules to fit these individual cases; and it was wise to leave the contract inviolable, and the hardships to private adjustment. Probably the attempted interferance in favor of one class against the other, has held out false, not to say unjust hopes, and has prevented the private adjustments which might have been made. As it is, we find that eight years of stay laws have left a considerable indebtedness with interest and cost accumulated, and creditors and sureties impoverished, without any corresponding benefit to the principal debtors; some of whom cannot pay and have sought relief from the Bankrupt law; and some have delayed, and have lost the opportunity for that relief, by reason of the false hopes held out by the stay law; and some of whom will not pay, although their means are abundant, and are used in speculation and extravagance.

Again: it is very well known to those who framed our Constitution, that with the most prudent and honest purposes, persons would sometimes become involved beyond their ability to pay, and that it would be crippling industry and enterprise to afford them no escape from misfortune; and, therefore, the same Constitution, which makes contracts inviolable by stay laws, provides for a general bankrupt law, by means of which a debtor may be absolved from his debts and take a new start.

Again: the laws, while they provide for the enforcement of contracts, are not used to the extent of oppressing the debtor, for there have always been exemptions of what were deemed *necessaries.* In our earlier days—times of great simplicity and small estates—we had the exemptions of wearing apparel, wheel and cards, loom, bed, and furniture &c., as our fortunes increased, the exemptions increased, and provisions, furniture, &c., were added; and subsequently, as times and habits changed, other things were added. All of which met the approval of the public, and was not injurious to creditors, while the debtors were not reduced to want, nor left to broken spirits.

Now there is a commendable spirit which finds expression in our new Constitution and in popular approbation, to allow homesteads; for truly we say, why allow a bed without a shelter to keep off the rain!

But exemptions and homesteads on the one hand, and stay laws on the other, are very different things. The former allows a man to be comfortable and honest, and encourages industry, while the latter enables him to be profligate and dishonest; the former is for all, the latter for a favored few.

There has been no case before us requiring the decision of the question, whether the provision for a homestead in our State Constitution is in violation of the Constitution of the United States.—And although the advice of the Supreme Court was requested by resolution of the General Assembly, yet our Courts are so constituted, that we have not felt at liberty to deliver any authoritative opinion upon the subject. But the fact may be stated, that our new Constitution was approved by Congress, with that provision in it; and it is not to be supposed that it would have been done, if it had been thought to be in violation of the Constitution of the United States. And it is settled, that every presumption is to be made in its favor; as having the approbation of the Convention of the State, and of the Congress of the United States.—And it may be repeated that exemptions have always existed, not to any considerable amount, to be sure, but still, in increasing amounts, keeping pace with the change in manners and customs, and the condition of the country. If an exemption of the value of $100 was *necessary* in our infancy as a people, with the simplest habits and fell under the maxim, *de minimis non curat lex*, it may not be that the exemption of a homestead of $1000 value will be deemed less considerable *now* than $100 then. And it has the sanction, not only of Congress and of the State Convention, but of the liberal spirit of the times as well. And it may well be supposed to be the earnest wish of the Government in all its departments, and of every enlightened and benevolent citizen to see every man with a HOME—a home for his wife and children, a home to adorn and to love—*his* home, his *castle*—

"From turret to foundation stone."

Although we are not permitted to declare our *decision* in advance of a case between parties which may come before us, yet a measure which has the sanction of the State Constitution, of Congress, the guardian of the United States Constitution, and of an enlightened public sentiment, and which is founded on justice, and which gives to every man a home from which he cannot be driven, may well be supposed to find favor with the Court, no member of which has intimated an unfavorable opinion. If such should be the case, then every man will be saved from oppression. And, in the absence of any stay law to prevent, every man will be obliged to do justice to his creditors, by surrendering to the satisfaction of his debts so much property as is not exempted as his homestead.

We have been thus full in what may be regarded as an unusual discourse of the subject by the Court, because we are aware that the effect of our decision will be left very far beyond the case before us; because of an anxious state of the public mind; and because, in declaring invalid a measure which was intended to afford relief, but which was not only invalid but mischievous, and gives a stone instead of bread, we were anxious to relieve the public mind by directing attention to a measure—the homestead—which may enure to the benefit of all.

We come now to the question: Does the ordinance, which we are considering, impair the obligation of contracts?

We do not propose to *labor* the subject It is plain and incontrovertable. And the learning upon it is abundant and common. Barnes vs. Barnes.

We are obliged to concede that it was not the *purpose* of the Convention to impair the obligation of contracts, both because that is not to be presumed and because a different purpose is expressly declared. And we are to take the declared purpose the real one. The purpose declared is, "to change the jurisdiction of the Courts," &c. To do that is quite within the province of legislation. But while pursuing that legitimate object, it turns out that the *effect* was to impair the obligation of contracts—a consequence which, as we are to presume, was not foreseen, and is to be set down to inadvertence, or the unconscious bias of pressing circumstances. And as soon as it is discovered that the *effect* is to violate the Constitution, the Legislature and every citizen will sustain the Court in its purpose to maintain the Constitution.

The second section of the ordinance of the Convention of 1865–66 entitled "An ordinance to change the jurisdiction of the Courts," &c., as amended by the Convention of 1868, to be found appended to the Code, provides that all contracts, without regard to the terms of payment made by the parties, shall be payable in four annual installments,—Now if the terms of the contract be that it is all payable at one and the same time, and the ordinance changes the payment to four different and distant times, it is a material alteration and impairs its obligation.

Section sixteen provides that the second section shall not apply to debts contracted since 1st May, 1865; so that the second section is liable to the two-fold objection of altering the terms of the contract, and of discriminating between classes. The second section is therefore void, as impairing the obligation of contracts, in that (1) it alters the terms in the particular of the *time* of payment; and (2) in the particular, that it alters the remedy of enforcing the contract—not immaterial and reasonable alterations, but material and unreasonable ones.

There are several cases before us, of which this opinion is decisive. The particular point prescribed in this case is whether a bond given since 1st May, 1865 in renewal of a debt before that time, could be sued on in the County Court (this suit having originated in the County Court.) The defendent pleaded to the jurisdiction, and the plaintiff demurred, and his Honor overruled the demurrer and sustained the plea. In this there was error. According to this agreement of parties, judgement will be entered here for the plaintiff for his debt and interest. READ, J.

—A remarkable trance case is published as follows:

A number of the Milwaukee physicians have been examining a remarkable case at Burlington, Iowa—that of the Mina Rousche. On the 8th of January she called her father to her bedside and told him she was going to sleep a long time. She said she should look as though she was dead, but she would not be dead; and made her father promise that he would not bury her. She then sank away, and has laid in that state since the 8th of January. On Monday last a vein was tapped, and the blood flowed as naturally as it would in any living person.

COLORED TESTIMONY.

THE LAW REGARDS NOT THE COLOR OF THE WITNESS.

[Reported for the Standard.]

Opinion of Chief Justice Pearson.

IN THE CASE OF STATE *vs.* UNDERWOOD.

We are of the opinion that the act Rev. Code, chap. 107, sec. 71, which makes persons of color incapable of being witnesses except against each other, is repealed by the Constitution.

According to that instrument, persons of color are entitled to vote and hold office. The greater includes the less, and the effect is, to take away the mark of degradation imposed by the statute under consideration.

We see every day persons of color holding seats in the Senate and House of Representatives, and filling places in the Executive department of the State. So it would be incongruous and absolutely absurd to rule that a free person of color is incompetent as a witness against a white man charged with the offence of missmarking one of his neighbor's sheep.

The statute must be taken to be repugnant to the spirit, if not the letter of the Constitution.

We see no occasion to elaborate the question, and indeed there is but little room for discussion. The new order of things brought about by emancipation by the 13th article of the amendment of the Constitution of the United States, the Civil Rights Bill, the military rule to which the State was subject while the government was provisional, and the approval by Congress of the present State Constitution, tends to support our conclusion, and to show in fact that it is unavoidable, in order to make the parts of our system harmonize and work together as a consistant whole.

There is no error. Judgment affirmed. This will be certified. PEARSON, C. J.

General News.

Quick, the deceased Philadelphia circus proprietor, left $200,000

Persia will soon hear the melodious whistle of the locomotive.

Five Police Commissioners of Philadelphia are worth in the aggregate about $2,000,000.

F. B. Pinto, the New York Park Bank robber, has been sentenced to five years in the state Prison.

A Pensylvania State Temperance Convention will assemble at Harrisburg, on the 23d inst.

There are six colored men in the medical department of Harvard University.

The season is so mild in Maryland that the farmers have commenced ploughing.

The peach buds are so far, uninjured in Western New York.

Michigan has school property to the value of $4,285,632.

The Cincinnati Relief Union have this season distributed 5,000 pairs of shoes.

The Baltimore city government has tendered hospitalities to President Johnson after the 4th of March.

It is said the Blue grass section of Kentucky has sold this winter $2,000,000 worth of mules to go South.

Savannah is now the busiest Southern seaport on the Atlantic. There were 85 vesels in port there one day last week.

A fellow who recently robbed a postman of $1,10 in Cameron, Mo., told him he had ought to be killed for not having more.

It is stated that the Rothchild's purchased two millions of United States bonds recently.

A farmer in Jennings county, Indiana, has raised five thousand pounds of tobacco on eight acres of ground.

Nearly all the Japan tea exported comes to this country, English people will not purchase it.

The New York ice dealers have secured a full crop, and there will be an abundant supply for next summer.

Dr. Nilaton, of Paris, says Chang and Eng can be safely sundered. Thus doctors disagree.

There are five Sundays in this year in in each of the months of January, May, August, and October,

A Boston broken down merchant has been given two thousand dollars by a former clerk whom he treated kindly thirty years ago,

The Star

CARPENTER & LOGAN,
EDITORS AND PROPRIETORS.

RUTHERFORDTON, N. C.

THURSDAY, MARCH 6, 1869

Another Constitutional Amendment.

Another proposed amendment to the Constitution of the United States has passed both branches of the Congress. In a few weeks it will be submitted to the Legislatures of the several States. The Amendment passed the United States House of Representatives by a vote of 152 for it, and 42 against it. *Every Republican voting for it, and every Democrat against it.* This vote shows beyond a doubt that the amend nent is all it ought to be, and will receive the approval of the people. Whatever the people *favor*, the Democratic party *oppose*,

The substance of the amendment is that "the right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude."

This country belongs to all nationalities, ond the policy of the Government has always been to encourage immigration and settlement. Our public lands have been sold at a nominal price for the purpose of encouraging permanent settlement and cultivation.

The laws of the general government have been liberal and uniform in respect to all nationallities. The people of the Old World have flocked to our shore by the million, and contributed largely to our numbers and national wealth.

Four millions of black people have recently elevated from the condition of *personal property*, to that of citizens of these United States. The Chinese have recently come amongst us in great numbers, and are settling that great and glorious part of the Union the Pacific Coast.

From the very nature of things, *time*, the equalizes of all things, will produce great changes in the political condition of the country, and the constitutions, laws, and policy of the country *must* conform to those changes.

The negro is here, and he will remain here. The government allowed him to be brought here, and made him and his posterity slaves, the government has *now* made him a *man* and a citizen of these United States, and he should have *enjoy* and *exercise* the same rights and privileges as other citizens. This was the doctrine of the founders of the Republic, and it is the doctrine of the Republican party of to day.

This great principle of equal rights, underlies the proposed amendment.—Either shut the gate and stop people from coming here, or else give them the rights of other people. There is no middle ground upon this great question. The right to vote and participate in affairs of State, cannot depend upon property or education. These tests went overboard more than forty years ago. A man with out a cent in his pocket may be just as good a citizen as a man who boasts of his millions. But color is a poorer test of the right to vote than property or education.

Away with these tests and distinctions and let every man in this land stand up before the constitution of his country, the *epual* of *any* and *every other man.*

Every true republican will rejoice at the adoption of this amendment; while every Democrat and rebel will gnash his teeth, and for want of something else to bite, will bite his own nose off, as he has done for the last eight years. They opposed the amendment abolishing slavery, but the people carried it through; they opposed the amendment declaring that Rebles could not be paid for their slaves, but the people carried it through; they opposed the amendment to shut Rebles out of congress, but the people carried it through; they apposed the amendment declaring the validity of our national debt should not be questioned, but the people carried it through; they opposod the war for the preservation of the Union, but the people carried it thaough; and now they will prate and howl and yell about this amendment more than ever, but the people will put it through.

Slavery was abolished by constitutional amendment, and the right of every American citizen *to vote* should be secured by constitutional amendment.—If to be right is *radical*, we exult in being *radical*. We hope to see our Legislature with a sufficient number of the Legislatures of the other States, ratify this amendment. This can be done by next May. So mote it be, The ideas of progress and liberty to their fullest extent are rapidly expanding, and in a few years, there will be no means by which our liberty as a free and independent American citizens can be enlarged. This constitutional amendment fixes our liberty so that it cannot be abridged.

The Stay Law, The Homestead.

In another column of to-days paper will be found the opinion of the Supreme Court, delivered by Justice Reade, declaring the Stay Law to be unconstitutional, and in substance pronouncing the Homestead to be valid and retrospective, good as to *all* debts old or new.

We are not disposed, nor do we intend to draw any reflections upon the Supreme Court, that would be uncourteous to say the least of it, but our object is to show the injustice, and oppression that is brought to bear by the present standing of these most important laws, both to the CREDITOR and the DEBTOR. Already we are beginning to feel the effect of it, the oppression has commenced, and we fear unless there is some barrier interposed our country and our people will be swallowed up in the ruins of this sudden and unexpected crash. Something *must* be done, and that speedily, and we earnestly entreat our Legislators, in the name of the people, to seek hastily some remedy by which the people may be relieved of this unjust oppression. Unless something is done, as a country and as a people we cannot survive the storm. We do not intend to argue the question at length, it would be useless, for we think the case is a plain one to all fair minded and unprejudiced men, and we hope and believe that there are enough such men in the General Assembly, that have the interest and welfare of their people at heart to remedy the evil, then let them take hold of this matter at once, and save the country from ruin and distress.

We are not pleading for repudiation, we don't want any such thing, but under the circumstances we are forced to ask, would not repudiation be more honorable, more just, than the present system of breaking two men and making ten? The people of North Carolina are an honest people, they are willing and anxious to pay their just debts, and if they have a chance they will do it, but as the law now stands they cannot do it without a great sacrifice.—Men who und r the Stay law were making preparations to pay the first instalment on their debts, and who would have finally, by hard and honest labor, paid the last dollar they owed, are now, considering the oppression they will have to under go, and the sacrifices they will have to make in order to meet their debts in full, flocking in and taking the benefit of the Homestead in order to save themselves.

Truly there are but one class of men in our State that are standing square up to their contract, and they have to brave the storm as best they can, loosing all and gaining nothing; paying their debts in full, while on the other hand they cannot collect a single dollar that is owing to them.

Say, for instance, A. is worth $2500.00, he owes $1000.00, and has $1000.00 of debts due him on men not worth more than $1500.00, under the present law judgment is taken against him for the $1600.00 that he owes, his property is put upon the block and sold at a sacrifice, bringing not more than $500.00; he cannot collect one dollar that is owing to him; he is brought down to the $1500.00 worth or Homestead, his property sacrificed and but half of his debts paid, while if he is a persevering, honest man, and should ever get more property than is allowed by the Homestead, there is the other half of the unsatisfied judgment still hanging over him, his property is again seized and sold, and again he is brought within the limits of the Homestead. On the other hand if he had been allowed the benefits of the Stay law, he could have paid his debt by installments, and his Debtors would have paid him, in the same way, had they not been *forced* to seek shelter from sacrifice and ruin, under the Homestead.

We insist that there is no justice in any law that privileges a certain class of men, to the *ruin* of others, and unless some remedy is provided, *every* CREDITOR and DEBTOR who has been fortunate enough to have left him after the ravages of a great civil war, over fifteen hundred dollars worth of property, must be broken down, while the Bankrupt and those who have taken the Homestead will swim through life with ease and comfort.

COMMUNICATIONS.

For the Star.

Consistency.—The Vindicator.

MESSRS. EDITORS: —The *Vindicator* of the 15th of last month admitted to its columns an article signed "Burke" in which Gov Tod R. Caldwell was held up as the personification of all that is good and noble; a week later, the same paper contains another article signed "Rutherford" in which Gov. Caldwell is handled without gloves.

It is not my purpose to defend Gov. Caldwell. He is well known to the people of North Carolina, and anything the *Vindicator* or any other of its set may say against him, will only make the people think the more of him. I confess that when the communication signed "More Anon" appeared in the *Star*, I too thought the Lieut. Governor was too narrow in his views, that he confined himself too close to Morganton, and Burke county, to the exclusion of other counties that deserve as much or more than Burke. This is my opinion and I state it frankly, that the Lieut. Governor may understand me, and govern himself accordingly. As for the correspondence of the *Vindicator* signed "Rutherford," I deny the charge that Governor C. is a demagogue. His actions have never led us to believe that he was a demagogue. I know "Rutherford" to be an educated, dirty, contemptible demagogue, ready and willing to do anything his corrupt *twenty dollar* party may desire to have done. Such a man cannot slander Governor C. where he is known.

The beauty of the whole matter is found in the consisteney of the *Vindicator*. It says one thing this week and another next week. I was not surprised at this before the *Vindicator* changed, I am a *little* surprised now.

"Ephraim is joined to his idols."

The object of the attack on Judge Logan and Gov. Caldwell is readily understood. There is no danger of estranging the people of Burke and Rutherford counties. They are not to be gulled and deceived by any such proceedings. While Judge Logan and Gov. Caldwell, may differ as to the policy of the Republican party in many measures, in any contest between the supporters of the *Vindicator* and Jeff. Davis, they will be found where they have always been, on the Republican side. "Pick your flint and try it again" Mr. *Vindicator* and do be a little more consistent. VIDES.

OLD DEBTS.—The following is a Bill reported to the Senate by Judge Osborne, chairman of the Judiciary Committee, to promote the settlements of old debts. As the Supreme Court has declared the Stay Law unconstitutional, we hope something will be done to effect settlements in a fair, liberal and compromising spirit, without injustice to honest men, debtors or creditors:—*Charlotte Domocrat.*

A BILL ENTITLED AN ACT TO ESTABLISH A BOARD OF ARBITRATORS FOR EACH COUNTY.

Section 1. *The General Assembly of North Carolina do enact*, That the County Commissioners shall appoint in every county in this State a Board of Arbitrators, which shall be composed of three citizens of each county, who shall owe no debts contracted before the first of June, 1865.

Sec. 2. Any creditor, or debtor, where the debt was contracted before the first of June, 1865, may summon his debtor or creditor before said Board of Arbitrators, setting forth in said summons the amount of the said debt and the consideration thereof, and where it was contracted, and it shall be the duty of said Arbitrators to consider the circumstances and condition of the said parties, and the losses of property of whatever description which such parties have sustained by the recent war, or other causes, before 1865, and shall ascertain and report the sum which in their judgment ought to be paid on such debts, and whether such sum shall be paid in cash or secured by note and security.

Sec. 3. In case such creditors shall refuse to appear before said Arbitrators, or refuse to abide by the award of the Board of Arbitrators, then a certificate of such award, together with a certificate of a refusal on the part of the creditor, shall be given to the debtor, which in any suit thereafter instituted in any Court in this State may be pleaded in bar of the jurisdiction of the Court over such debt or demand, and it shall be the duty of such Court, on the plea and the proof above prescribed, to dismiss on motion of defendant, any action brought for the recovery of such debt.

Sec. 4. Judgment of the Court dismissing such suit shall forever bar the recovery of such debt or any portion thereof.

Sec. 5. In case any debtor shall fail or refuse to comply with the award so rendered, by a certain period prescribed in said award, then a certificate shall be given to the creditor, setting forth such failure or refusal, and the debtor shall not be permitted to avail himself of any existing law or ordinance regulating the rules of pleading, and known as the stay laws. Action to recover any such debts shall be tried according to the usual course of the Courts: *Provided*, That the debtor, by any proceeding under this act, shall not be deprived of any legal defence which he may have to such action.

Sec. 6. The Board of Arbitrators shall have power to summon witnesses at the instance of either party, and to examine the parties on oath, and it shall be the duty of the Sheriff to serve all summons which may come into his hands from said Board, and return the same at such time and place as the Board shall direct.

Sec. 7. All orders and summons and awards shall run in the name of the Arbitrators of the County, and shall be signed by one of their number as Chairman, but awards shall be signed by the Arbitrators or a majority of them.

Sec. 8. The Sheriff shall be entitled, as he is now entitled by law, for the service of process from the Superior Court, and the said Arbitrators shall be entitled, as compensation for their services, two dollars in each case decided by them, which, with the other costs of this proceding, they may tax in whole or in part against either party, as in their discretion may be proper.

Sec. 9. The provisions of this bill shall extend to all notes given in substitution for debts contracted before 1865, or judgment rendered on such contracts, or judgment rendered on contracts given before 1865.

Amendment by Mr. Winstead:

Sec. 10. The Board of Arbitrators formed under the provisions of this act shall in no instance award to a creditor more than fifty per cent. of the principal of his debt, as the amount to be paid by the debtor.

SALARIES AND FEES,—The General Assembly has not yet passed bills provide salaries and fees for public officers. We presume that body will soon do so, as the time of its adjournment is rapidly approaching.

The members of the General Assembly have voted themselves seven dollars per day and mileage. This is good pay. We do not complain of it. It is not too much, when we consider the difference between greenbacks and gold, and the great advance in the price of everything since 1860, But, while thus liberal to themselves, we appeal to them not to stint others. Very much of good administration and of the success of the principles of the Republican party will depend upon the allowance made to the Judges and the State officers.

We do not propose at this time to go into details, or to refer even to the exact amonuts in salaries which we think the Judges and State officers ought to receive. It is sufficient to say we would not claim for them double the amount they received in 1860, thoug we could do on the assumption that if the members of Assembly are entitled to more than double their per diem in 1860, these officers would be entitled to a proportionate advance. We trust that body will approach this subject in no selfish or narrow spirit, but with a disposition and a determination to do justice to the State officers and the Judges, If any member of the General Assembly is disposed to play the demagogue on this subject—and we trust there is no such man in either House—let him remember that he would be met at once with the fact that he himself had received more than double the amount formerly paid to members.—*Standard.*

We find the following letter from Hon. T L. Clingman, in relation to Western North Carolina and her resources published in the Washington *Chronicle*. We ask for it a careful perusal, as there are many interesting facts stated therein.

NEW YORK, Jan. 12, 1869.

To William Frazier, Esq., President of the American Agricultural and Mineral Land Company, New York:

DEAR SIR: The short period during which I expect to remain in this city, and the pressure of business engagements, will prevent my replying at length to your inquiries in relation to the western part of North Carolina.

For a great many years I have resided on the west side of the Blue Ridge, the range of mountains which divides the waters falling into the Atlantic from those descending to the Mississippi river. Having for more than sixteen years been a Representative or Senator from that region, I used in my canvasses to visit every part of it. I have also ascended the principal mountains for the purpose of measuring or observing them, while my fondness for geology and mineralogy has carried me into almost every valley. My general acquaintance, therefore, with this entire region probably exceeds that of any other person.

It may be regarded as an elevated table land of more than two hundred miles in length, with an average breadth of fifty miles, and is crossed in different directions by many mountain chains. The height of the lower valleys may be stated as ranging from two thousand to twenty-five hundred feet above the level of the sea, while the principal mountain chains rise four thousand feet higher. This elevation, notwithstanding its southern latitude, gives it a delightful summer climate.

Mr. William McDowell, who made observations for the Smithsonian Institute, at Asheville, for several years, informed me that the thermometer during the warmest summer weather did not rise above eighty-two degrees Fahrenheit. Even the climate of Switzerland is not equal to that of this region; not only at Geneva, but in the high valley of Chamouni, I once found hotter weather than I ever experienced in this section; while there, one is occasionally chilled in midsummer by cold blasts from the masses of snow on the higher Alps. In western North Carolina none of the mountains are high enough to bear snow in summer, yet the region is sufficiently elevated to afford a climate which is cool, dry, bracing, and exceedingly exhilerating. No country is more healthy, being alike free from the diseases of miasmatic regions, as well as those common in rigorous or damp climates.

What especially distinguishes this section from all other mountain regions that I have seen is the general fertility of its soil. This is true not only with reference to its valleys, but also of its mountains. Their sides and even tops are generally covered with a thick vegetable mound, on which the largest trees and grasses grow luxuriantly. At an elevation of five thousand feet above the ocean, the grasses and weeds are so rank as to remind one of the swampy lands of the lower regions. On the tops, and for a considerable distance down the sides of the higher chains, there are several varieties of evergreen or "winter grass," as they are generally called there. These are so nutritious that cattle are kept in good condition on them all the winter. A friend of mine before the war kept four or five hundred horned cattle on one of these mountains, and with the exception that they were supplied with salt, occasionally, they subsisted entirely both in summer and winter on those grasses. The older cattle, he assures me, soon learned to understand the effect of the seasons, and without being driven, they led the herds, in the spring, down the sides of the mountains to obtain the young grasses that came up with the warm weather, and when these were destroyed by the autumn frosts they returned to the tops to get the evergreen vegetation, and found shelter under the spreading branches of the balsam fir trees in stormy weather. I have seen in Haywood county a five year old horse that was said to have been foaled and reared entirely on the top of Balsam mountain, and was then for the first time brought down to see cultivated land and eat food grown by the hand of man.

Those portions of the mountain that are without timber are, of course, covered by the thickest coats of grass. The balsam trees which cover for so great an extent the Great Smoky, Balsam, and Black mountains could be easily gotten rid of at a cost of not more than a couple of dollars per acre. It is so soft as to be easily cut, and if felled and suffered to lie a few months, its leaves would become quite dry, and it might be burned with the greatest facility. When thus destroyed, it would not spring up again, but in its stead a very thick sward of evergreen grass. Immense winter pastures could in this way be prepared, and thousands of cattle thus sustained in the winter, with only an occasional supply of salt.

Where the lands in this part of the State are placed under cultivation, they produce abundantly. On choice spots more than one hundred bushels to the acre of Indian corn have frequently been obtained, and this valuable grain is everywhere produced in sufficient quantity. Wheat, also does well while oats, rye, and barley are particularly good. It is especially suited to the production of grasses—timothy, orchard, and herd grass, or red top, being usually preferred.

Clover and blue grass grow well, but are not so good as in some counties having more lime in the soil. Last summer I went with Mr. N. W. Woodfin over a mountain farm of his, the land of which had originally cost him less than one dollar per acre. It had been cleared by cutting out the undergrowth and girding the large timber so as to deaden it, and then put in grass, nearly twenty years previously. It was covered over with a thick growth of timothy and orchard grass, much of which appeared as thick and as tall as a fair wheat field. In some places we found both of these grasses rising high enough, as we sat on our horses, for us to take the top of the stalks growing on each side, and cause them to meet above the withers of our horses. I never, in fact, saw better grass anywhere than grew generally over this entire tract of twelve hundred acres.

Irish potatoes, cabbage, and turnips are grown in the greatest quantities, while no country excels this for fruits. Its apples, both in size and flavor, excel those that I have seen in any part of the world; while peaches, pears and grapes grow abundantly. Besides the Catawba, there are a great many other native grapes. One gentleman thinks he has obtained a hundred varieties of native grapes, some of which he considers superior to the Catawba. That this country is admirably adapted to the production of grapes and wine there can be no question. The fact that a variety of grapes can be selected, that ripen at different periods of the autumn, will make vintage longer than it is in Europe, and thus increase the amount of wine made. All kinds of live stock thrive in the country, though horses and horned cattle have been more generally raised, because they require less care from the farmers. Sheep are healthy and grow well everywhere. As large sheep as I ever saw were some that were suffered to run in the woods, both in summer and winter, without being fed. Mr. Woodfin also stated to me, that he could, from the stock of his farm above alluded to, at all periods of the winter obtain good mutton and beef from the animals that were subsisted on the grass.—Even when sheep are to be kept in large numbers, it is certain they would do with half the feeding they require during the long winters in New England. Snow seldom remains many days at a time, even on the mountain tops in North Carolina; and when the grass is good, little is required in the form of hay or food for the stock.

The minerals of this region have hitherto been turned to very little account. There are some narrow belts of marble and limestone which furnish a sufficiency of lime for use, and from which good marble can be procured at certain points. The different ores of iron, of the best qualities, exists in great abundance in many places, and from them superior iron can be made. Large and promising veins of copper have been cut in several localities in Jackson county, and surface indications leave little doubt but that similar deposit will be found in other counties. Gold has been profitably mined in the counties of Jackson, Macon, and Cherokee, but less extensively than in the section east of the Blue Ridge. It is quite probable that good veins of this metal will in time be opened, and there is encouragement to search for lead and silver at several points. The barytes and chrome ores can be brought into use when the railroads are finished that have been provided for by the State. Though coal does not exist, its want will not be experienced for a long period, as the immense forests will supply fuel for a great number of years, and long before they can become exhausted railroads will permeate all parts of this district, and will bring in supplies of this valuable mineral from localities not far distant.

The country is everywhere intersected by bold and rapid streams, and the supply, therefore, of water power is beyond any demand that can ever exist for it. These streams, from the elevated valleys in which they are first collected, have a descent of not less than one thousand feet before they escape into the State of Tennessee, and present at various points, therefore, rapids and falls where the water can be conveniently used for manufacturing purposes.

Though this region lacks the boldness and grandeur of the Alps, this deficiency is more than balanced by the fact that every part of it is susceptible of settlement and cultivation. The fact that the mountains as well as the valleys are covered by a luxuriant vegetation, gives to them a green and inviting appearance which renders many of the scenes peculiarly attractive to the beholder. The present population, though sparse, is quiet, industrious, intelligent and moral; the negroes there not being numerous enough to constitute an important element in the whole society. I know of no country more inviting to industrious emigrants, when one considers its excellent climate, water and soil, its mining and manufacturing resources, and its cheap lands and good population.

Very truly, yours,

T. L. CLINGMAN.

THE LAST OF THE RED MAN.—The Columbia Phœnix mentions that John Harris, Chief of the Catawba Indians was before the Legislature exhorting with his crude eloquence an appropriation for the removal of his diminished tribe on the far west, where once more beyond the reach of the white man, they could again hunt the deer and the buffalo, and again chant their war songs and glory in the deeds of their ancestors. The Catawba remnant is now a mere handful of men huddled together on the "Indian Land" bordering the Catawba river surrounded by civilization, and humiliated by their own insignificance. Such is the fate of the Red Man. Once "Monarch of all he surveyed," he now has scarcely a burial place: has been cheated, and is now despised; has been defeated, and is now little better than a slave; has been driven from his hunting grounds, and is now traveling farther and farther towards the distance Pacific. Thus passed away glow, This race could once boast of a King Philip, of a Red Jacket. of a Black Hawk, of an Osceola, warriors renowned in war and wise in peace chieftains whose glory raised to the highest summit the tottering caused which they represented and whose death signaled the destruction of their braves.

☞ Gen. Grant, in conversation with Senator Pool of North Carolina, expressed himself as particularly anxious for substantial reconstruction in the South.—North Carolina and Alabama, he said, were among the best reconstructed States of all, and when the rest were as safely and pleasantly back in the Union, he thought ours would be the happiest country on the globe.—*Standard.*

From the Pioneer.

ERIE, Pa., February 4th, 1869.

HON. A. H. JONES:

Dear Sir: Yours of the 2d instant is at hand, and contents noted. I could not have had a more satisfactory answer, and for which you have my thanks. The near completion of the Pacific Railroad stirs up all persons more or less interested in Railroad projects to activity in trying to promote their interests. Never in the history of our country has anything occurred so important to the interest of commerce, and in fact to all kinds of business, as the completion of this road will be. So far as the North is concerned, our facilities for reaping an immense benefit from the Pacific Road is good, very good, but not so with the South at present. But yet, with well directed and proper efforts, your position can be wonderfully improved, and that improvement not so very far off either. As you say, let us look on the map of the South, and can any one be so blind as not see that with a completed line of railroad from Chicago, through Cincinnati to Charleston, (or just as correct to say Beaufort, Charleston and Savannah, all about equal distances) the trade and commerce of the sea-ports more than ten times doubled the value of land, vastly increased, and activity and prosperity instilled in every branch of business in the State south, and contiguous to this great thoroughfare from the Atlantic to the Pacific. In some respects this Southern line and terminus on the Atlantic will be better than our Northern routes. From Chicago to Charleston the winter will not be the thousandth part as troublesome as on the Northern routes—it will be summer "all the year round," nearly, on the Charleston route. There is also on this route undeveloped and untold wealth in the almost unlimited mineral lands along and contiguous to this line of road. This main line once completed, and a necessity that knows no law compels the South to build railroads in every direction to connect with it, carrying its benefits with it, developing the untold wealth of the agricultural, as well as mineral, capacity of the country—giving you the advantage of Northern and Western markets for the many products of the South that you can raise in any quantity and we must buy or go without. Is there anything the South cannot raise? Not much. Then you have the finest of timber and our supply is gettting very short. You have marble, sand and limestone, coal, iron, gold and silver—what more can you ask for except market and accessible and quick transportation? Before railroads, canals or steamboats where, I have wagoned wheat two hundred miles to sell at sixty cents per bushel.

The capacity of the South is far ahead of the North for production—all things being equal.

But I have said enough about what I presume you already know much better than I do; but all I say I believe to be true, every word of it.

I will admit that an indirect interest prompts me to try and urge through this railroad project, and who does anything without some motive for it?

We shall want all the seaports on the Atlantic to do business in that will pass this great highway of nations, the Pacific Railroad. We shall want all the lines of steamers on the Atlantic that can be gotton up to carry freight and passengers to and from Europe, and which will bring us thousands of emigrants, while the Chinese have millions of them to spare us, and they will come sure. I see by newspapers that the Norfolk Convention, recently held there, advocates a railroad connection with Cincinnati, from Bristol via Cumberland Gap, Barboursville, Ky., Parris, Ky., and Kentucky Central Railroad to Covington and Cincinnati.

What is your opinion of that route through Kentucky? From Cumberland Gap to Paris I believe is about 128 miles, and said to be practical and feasible and is certainly the shortest route. I think Morristown of which you speak is twelve miles west of Bristol; if so, then Norfolk would desire the completion of the Cumberland Gap Road, as well as Charleston and the other seaports. Altogether making a strong influence in its favor, and it would be of equal benefit to all, and no injury to either, for all lines of railroads east and west, or looking towards the Atlantic and Pacific Oceans, will have all the business they have capacity for. As to the Gap between Asheville, Spartanburg and Greenville, of sixty miles, I shall be much mistaken if that cannot be filled up; it must be done. I wrote to a Mr. Wm. S. Hastie, of Charleston, in relation to this C. C. & Co. line, (almost air line,) and in his reply he spoke of the Blue Ridge Railroad, and also said that through other parties I would receive communications on the subject, but I have received none, and wrote to him again some time since, but got no answer from him. I then wrote to the President of the South Carolina Railroad at Columbia, enquiring of him about the Blue Ridge Road, where it commences and where it terminates, and the address of the President of that road but neither from him do I get any answer. I should be glad to know about the Blue Ridge Railroad, what *Northern* connection they desire, &c., &c. From Paris, Ky. to Cincinnati, is about eighty miles; from Cincinnati to Chicago, 294; from Paris to Cumberland Gap, say; 128 in all, from Chicago to Cumberland Gap, about 500 miles, (Road all completed from Paris to Chicago;) from Norfolk to Bristol is about 385 miles; from Bristol to Knoxville, Tennessee, 130; from Charleston to Columbia 130; Columbia to Anderson, 127; Columbia to Belton, 117; Belton to Greenville, twenty-seven; Greenville to Asheville, sixty—thus Ashville to Charleston via Spartanburg or Anderson, is 334 miles. Add 500 miles from Chicago to the State line of Tennessee at Cumberland Gap, making 834; then from Asheville to State line of Tennessee, add the distance to 834, gives the distance from Chicago to Charleston via this route. From Chicago to New York via Albany, New York, 996 miles; and is *further* than Chicago to Charleston via Ashville to Charleston—has a good harbor—accessible at all times South or below Cape Hatteras, and a little farther from Europe than New York is, but on the whole is quite as good a port for European trade as New York.

I see by referring to a railroad map that a road from Asheville to Burnsville is laid down. Russellville is a short distance west of Rogersville Junction the east Tennessee and Virginia Railroad, while Bristol is far East, and on the Tennessee State line. Russellville is on a direct line from Asheville to Paris, Ky., and some distance south of the Tennessee line. How far is it from Asheville to the Tennesee line by Russellville, to a point near Cumberland Gap, say in Scott County, Tennessee, not far from Old Town, the County seat of Scott County?

Now, I think I have said so much about places, distances, &c., it may tire your patience to investigate them, so I will add that on referring to Mr. Hastie's letter, that the Blue Ridge Railroad begins at Anderson, C. H., and is completed to Walhalla, Pickens District, S. C., a distance of thirty miles, and is partly graded towards the Tennessee line, and three millions expended on the road.

One thing more. Is Morristown, of which you speak, the same place I call Russellville, laid down on the Railroad map as the terminus of a projected road from Asheville?

I know your time must be all taken up in Congress, but will be very glad to hear from you at any time when you can find leisure to write much or little, as the case may be, on the subject. My intention is to follow up the matter to the best of my ability or capacity, and am very glad of anything I can learn to help or give encouragement to it.

If the road could be made, all parties would be the better for it. It cannot do any harm to try in an honorable and fair way. I do not care to be known in the matter at present, until some of my arrangements in process are completed, of which I will advise you when done.

Many years since, two young men, or boys, went from Berkshire County, Massachusetts, to North Carolina, of the name of Jones. They were playmates of mine. There first names were Belus and Egbert. How strange to me it would seem if you were a relative of theirs! Excuse my long letter, and with my thanks again for your valuable letter allow me to expect to hear from you again at your earliest conventence.

Respectfully, Yours, &c.,

*. *. ******.

GENERAL SCHOFIELD—The fact made known by General Grant to General John M. Thayer, Senator in Congress from Nebraska, on Tuesday morning last, that he had decided to invite General Schofield to remain for a brief period in the War Department, was announced in nearly all the Eastern daily papers of yesterday. This intention is not only a mark of General Grant's high esteem of the accomplished young soldier now in charge of the War Department, but is intended to show to the country that the new President desires not to include General Schorfield in the neccessary displacement of the remainder of the Cabinet of Andrew Johnson. The fact itself was known to us on the same day, but adhering to the rule laid down in these columns from the beginning as to speculation in regard to the Cabinet, we said nothing about it. Now, however, that the matter is public, we feel free to say that nothing could give more satisfaction to the loyal people and to the Republican party especially than the manner in which the new President intend to convey this significant compliment to General Schofield. He does not conceal his opinion that no regular officer of the army or navy should be retained in civil office unless in a special military omergney; but he seems resolved that this sentiment shall not prevet him from doing justice to a good soldier and an honest man.—*Chronicle*

HYMENIAL.

MILLS—CRATON—On the 4th inst., by Rev. V. A. Sharpe, Mr. GEORGE H. MILLS to Miss MARY CRATON, all of this place.

May unalloyed felicity and happiness attend them, and innumerable blessings cheer their devoted hearts as they wander hand in hand down the vale of Time.

*The happy couple will please accept our thanks for a supply of nice cake.

HAYES—CRIGGER—At Maryville, Tenn., on the 25th ult., by Rev. A. Bartlett, Mr. CADWALADER J. HAYES to Miss RACHEL O. CRIGGER.

"This is the way he long has sought,
And mourned because he found it not,"

Rutherford Star.

SATURDAY, MARCH6, 1869.

LOCAL AND STATE.

RUTHERFORDTON, N. C.

TOWN IMPROVEMENTS.— We are glad to see that a spirit of improvement is finding its way into our little village. The enclosure around the premises of the Rev. C. B. Justice, is undergoing repair. Dr. T. S. Duffy, is also repairing the fencing around his residence. We say to the other citizens of our town, "Go thou and do likewise" there is still room for more improvement.

PERSONAL.—Our Senior has gone to Shelby, Cleavland County, to attend a Republican celebration of the inaugural of Gen. Grant. We hope he may have a good time, and find "the State of Cleveland *all right*."

☞ The Republicans, of Tennessee, have called a Convention to be held at Nashville on the 20th of May, to nominate a candidate for Governor, Hon. W. B. Stokes is spoken of for the nomination. Andrew Johnson will doubtless be the Democratic candidate.

SUICIDE.—We learn that Mr Jonarhan Penley, living near Piedmont Springs in this county, committed suicide last Saturday morning, by shooting himself. He placed the muzzle of the gun under his chin, and fired it by touching the trigger with a stick of wood. He was aged 60 years.—*Morganton Press.*

MURDER IN CASWELL.—A special correspondent of the Richmond *Dispatch*, writing from Caswell county, under date of the 22d ult., says: "Mrs. Sarah Blackwell, who lives near Blackwell's store in this county was foully murdered on last Thursday night. She was an old lady—a widow living alone. Some of her neighbors went to her house on Friday morning and found her still living, but speechless. She died before night, without giving the name of her murderer. A little girl, however, testified to seeing a negro man entering the house through a window after nightfall. The murder was probably committed for the paltry sum of twenty dollars.

To day is the inaugural of Gen. Grant as President of the United States. We anticipate that with the beginning of his administration, begins a new era in the life of the American people. We will now realize that peace, that we have so long desired, under the administration of him who said "Let us have peace."—With the administration of Grant, begins prosperity and happiness, Freedom, Liberty, and Equality for all before the law Aristocracy, Slavery, and Rebellion are no more, Andrew Johnson and the Democratic party, have died a natural political death. The Country is placed in the hands of its friends and defenders, and all may now be considered well. Let all Union loving citizens rejoice in their future prospect, and endeavor to live, for prosperity, liberty, and the Union.

EARTHQUAKES AND THE GULF STREAM—A friend informed us of a curious fact the other day, which we think of interest enough to make public, as we have seen no mention of it elsewhere.

Since the late earthquakes in California, the Pilots on our coast testify that the Gulf Stream is twenty miles nearer the North Carolina coast than before, and that it is forty miles further off from the Florida coast.

Does not this account for the remarkable weather we are having and have had the past and present season? While in North Carolina the weather has been unusually bad and cold—freezing oranges and killing the trees, an occurrence that never happened before within the memory of man.

And another subject for pleasant contemplation is the belief, on the part of some scientific men that in this State we will never again experience long cold spells of weather as heretofore, and but very little bad weather of any sort.

We have always contended that North Carolina was the best place in the world. Those who have moved off had better hurry back, while there is room.—*Charlotte Democrat.*

☞ Female suffrage has a poor show in North Carolina. In the Senate, Wednesday, Mr. Graham, from the Committee on the Judiciary, reported adversely on the bill to allow female suffrage, so all that the women have got to do (poor things) is to stay at home, take care of the babies and keep the house in order, as their mothers did before them; and all this when men are such brutal creatures that it is felt incumbent to introduce a bill in the House the same day "to prevent the abandonment or neglect of their wives by husbands." In these days of progress, we shall expect soon to see a bill introduced to prevent wives from beating their husbands. If wives are getting so hard to live with that it is deemed necessary to pass bills to keep their husbands from running away from them, certainly it is argument conclusive that they should not be allowed to vote, and it was very wise on the part of the Committee on the Judiciary to refuse them the privilege.—*Newbern Times.*

A YOUNG MARRIED MAN SHOT AND KILLED BY HIS FATHER-IN-LAW.—We learn from Colonel Pryon that a tragedy of a peculiar character took place at Old Spring Dale, five miles from Water Valley, last Friday evening just after dark. A young man, twenty-two years of age, named, Frank Wilson, was killed by his father-in-law Mr. Isaiah Goodwin, a respectable and well to-do citizen. The circumstances were briefly as follows:

Mr. Wilson having been to Water Valley to sell some cotton, Friday, returned home to his father-in-law's, about dark, in a state of intoxication. At such times he has always been noted for violence of speech and actions. He had remarked on his way home that when he got back there would be h—ll to pay. After putting away his team he went out of his little house, a mere office in Mr. Goodwin's yard, and called on the old gentleman to come out and see him kill that hog, at the same time flourishing his revolver in the air and facing the house.

Mr. Goodwin knew there was no hog about, and being aware of threats against his life by his son-in-law, took down his gun to be ready to defend himself. Wilson advanced toward the entry, and when he got sight of Mr. Goodwin fired at him. The bullet grazed Mr. Goodwin's head. He returned the fire from a double-barrel shot-gun, and a full load of buckshot took effect in Wilson's breast, killing him instantly.

An examination was held the following day before a magistrate, when Mrs. Wilson testified that her husband told her several days before that he intended to "kill her old daddy," and similar threats it was proven had been made by him at various times and places, especially when he was drinking. Mr. Goodwin was discharged, of course, as it was a clear case of self-defence. Wilson and his father-in-law had had some little difficulty a few weeks ago, but what it was did not appear on the examination. Wilson had been married one year only, and besides his wife left a child.—*Memphis Avalanche 26th.*

SUICIDE.—Early on yesterday, our community was shocked to hear of the melancholy death of Col. Thomas L. Hogg, who committed suicide at the residence of his nephew in this city, Dr. Thomas D. Hogg, between the hours of eight and nine o'clock in the morning. About eight o'clock he was seen in his bed by a servant girl, who says that he was entirely concealed from view by the bed covering. Breakfast being ready and he delaying to partake of his morning meal, he was sent for, but was found to be absent from his room. Search being made, he was found on the premises dead and on examination of the body, there was discovered to be a stab just below the heart, and a slight cut on the arm. On his left arm was lying an open knife, the fatal instrument with which the bloody deed was perpetrated, and which was recognized by one of the jury of inquest as the property of the departed.

The deceased had recently returned to this city from Edgecombe county, and was observed to be of a melancholy turn of mind, and to exhibit traits of insanity. Insanity is therefore alleged to be the cause of his taking his life.

The Coroner summond the following persons as a jury of Inquest, viz; J. S. Bryant, Foreman, J. S. Fleishman, R. S. Tucker, Phil. Theim, M. Bryan, Wesly, Boon. Lewis W. Peck, E. D. Haynes' Geo. Wynne, W. D. Johnson, Alfred Williams and J. P. Prarie—who, after an investigation, returned a verdict that the deceased "came to his death by a wound near the heart, inflicted by a knife in his own hands."

Col Hogg was far advanced in life has for many years been a citizen of Raleigh, and was well and favorable known in community.—*Standard of 27th. ult.*

THE JUDGEMENTS OF WOMEN.—An eminent minister of the church, once made this fine observation: 'We will say nothing of the way in which that sex usually conduct arguments; but the intuitive judgments of women are often more to be relied upon than conclusions which we reach by an elaborate process of reasoning. No man that has an intelligent wife, or is accustomed to the society of educated women, will dispute this. Times without number you must have known them to decide questions on the instant, and with unerring accuracy, which you had been poring over for hours, perhaps with no other result than to find yourself getting deeper and deeper into the tangled maze of difficulties. It were hardly generous to alledge that they achieved these feats less by reasoning than a sort of sagacity that approximates to the sure instincts of the animal races; and yet there seems to be some ground for the remark of a witty French writer, that when a man has toiled, step by step, up a flight of stairs, he will be sure to find a woman at the top; but she will not be able to tell how she got there. How she got there, however, is of little moment. If the conclusions a woman reached are sound, that is all that concerns us. And that they are very apt to be sound on the practical matters of domestic and secular life, nothing but prejudice and self-conceit can prevent us from acknowledging. The inferrence, therefore, is unavoidable, that the man who thinks it beneath his dignity to take counsel with an intelligent wife, stands in his own light, and betrays that lack of judgment which he tacitly attributes to her."

The Homestead Law.

An Act to provide for laying off the Home stead and setting apart the Personal Property exempted in favor of residents of this State by Article X. of the State Constitution.

SECTION 1. The General Assembly of North Carolina do enact, That whenever any resident of this State may desire to take the benefit of the Homestead and Personal Property Exemption, as guaranteed by Article X. of the Constitution, of this State, such resident (or his agent or attorney) shall apply to any Justice of the Peace of the County in which he resides, and said Justice of the Peace shall appoint three disinterested freeholders of the County, not connected with said applicant, who shall, on notice, by order of said Justice, meet at the applicant's residence, and after taking an oath to do impartial justice in the case, before some officer authorized by law to administer an oath, lay off and allot to the applicant a homestead by metes and bounds, according to the applicant's direction, not to exceed one thousand dollars ($1000) in value, and make a descriptive account of the same under their hand and seal, and return it to the office of the Register of Deeds.

SEC. 2. Be it further enacted, That said freeholders shall assess of the personal property of said applicant, to be by him selected, articles of personality not exceeding in value the sum of five hundred dollars, and make a descriptive list of the same, and return it under their hand and seal to the office of the Register of Deeds.

SEC. 3. Be it further enacted, That it shall be the duty of the Register of Deeds to endorse on each of said returns the date when received for registration and to cause the same to be registered without unnecessary delay. The said Register shall receive for registering the returns the same fees that may be allowed him by law for other similar or equivalent services, which fees shall be paid by said resident applicant (or his agent or attorney) upon the reception of said returns by the Register.

SEC. 4. Be it further enacted, That at any time within twelve months after the reception of said returns for registration, (and not after) any creditor of said applicant may, upon suggestion of fraud, move in the Superior Court of the said applicant's County, to set aside and annul such laying off of a homestead and setting apart of personality. The issue of fraud or no fraud shall be tried by a jury at the same term of the Court, unless the motion is continued for legal cause. If the issue be determined in favor of the creditor, he shall recover of the said applicant his Court cost, and all the proceedings for laying off said personality shall be null and void. If the issue be decided in favor of the applicant aforesaid, the said applicant shall recover of the creditor his Court costs and the setting off of personality, and laying off of the homestead shall stand forever confirmed.

SEC. 6. Be it further enacted, That this act shall be in force from and after its ratification

Ratified the 22nd day of August, A. D. 1868.

Anderson Arnot, of St. Louis, will establish a line of passenger coaches on th Plains, this season, in opposition to Wells, Fargo & Co,

Twenty converts to Mormonis are on the way from Georgia to Utah.

A new style of omnibus has been invented in Philadelphia. The driver sits upon a platform similar to those of the street cars, with a door at his back.

The following is a Copy of a love letter addressed by a determined swain to his lady love in St Joe; "Leven yeres is rather long to kort a gal, but ile hav you yit, Cate"

New Advertisement.

Large Stock of Hardware.

WE OFFER our Stock to the Wholesale and Retail trade at prices to suit the times for cash. Call and see our stock and hear our prices. BREM, BROWN & CO.
Oates Building, Trade Street,
feb27-3t Charlotte, N. C.

A NEW

Southern Novel.

E. J. HALE & SONS, 16 Murray St., New York will publish in a few days, **Minor Place.** A Tale of Southern Home Life; by a lady of Tennessee, a native of Alabama.

1 Vol. 12 Mo, Price $1,50.

Orders solicited. Sent by mail, post paid, on receipt of the price.

*** A copy of the book will be sent to any Editor who will publish the above, together with this note, and forward a marked copy of the paper to the Publishers. feb.20 3t

BLANKS! BLANKS!! BLANKS!!!

WE have printed, and for sale, a splendid lot of Blanks for County officers—such as

FOR SHERIFFS.—**Appearance Bonds, Capias Bonds, Tax Receipts, Deeds, &c.,**

FOR CLERKS AND JUDGES OF PROBATE.—**Summons, Capias Subpœnas, Administration and Guardian Bonds, Letters Testamentary, Guardianship and Administration Acknowledgement and Private Examination of Married Women, Justification of Bail, Executions, Ven Ex's, &c.**

FOR MAGESTRATES.—**Summons, States Warrant, Executions, Subpœnas, &c.**

☞ Any Blanks not on hand will be printed to order. Terms, One Dollar per quire, sent post paid. Address

CARPENTER & LOGAN.

A Card.

I WISH to employ Agents to procure subscribers to Second Edition of "Prison Prose and Poetry of the South," an active canvasser can average, for himself, from $10 to $15 per day. References required.

☞ Proprietors of newspapers, by giving this two or three insertions, with a line or two of editorial, calling attention to the same, will be entitled to a copy of the work as soon as published Address B. H. JONES,
feb.20-3t. Lewisburg, W. Va.

COMMERCIAL.

RUTHERFORDTON MARKET.

CORRECTED WEEKLY BY

JAS. A. MILLER & CO.,

DEALERS IN

Dry Goods, Groceries, Hardware, &c.,

BACON	15@20
BEEF, nett	4@6
BUTTER	15@20
BEESWAX	25
CANDLES, adamantine	33@40
CASTINGS	8@10
CHEESE	33@40
COFFEE	33
CORN	75@80
COTTON	18@22
" CLOTH	16½@25
" YARN	225
DRIED FRUIT—PEACHES Pealed	9c ℔
Bright " Unpealed	4c
"	4c
APPLES, Pealed.. Bright	4
EGGS	10
FLOUR, per sack	$6@$8
FODDER, per cwt	80@100
FEATHERS	30@40
FLAX CLOTH	25@40
HIDES, dry	16@20
HIDES green	8
IRON	8
JANES, wool	40@75
LARD	15@20
MEAL per bu	90
NAILS	10@12½
OATS, per bushel	50
PEAS	60
POTATOES, Irish	50
POTATOES sweet	50
PORK—gross	9
nett	10
RAGS	3
RICE	16½@20
ROCK ISLAND CASIMERE	75@300
ROPE	30@50
SALT.....per sack $5.50....per lb	3
SUGAR	16½@25
SPTS TURPENTINE, per gal	2 00
TALLOW	15
TEA, per lb	$2 00@$2 50
WHEAT	1 50@200
WOOL—well washed	50@60

NEW

GOODS!!

Messrs. **JONES & BRYAN** respectfully announce to their customers and the public generally, that they are now opening at their Store in Rutherfordton, direct from New York and Southern Manufactories, a large assortment of

STAPLE

AND

FANCY GOODS,

selected by a Merchant of long experience in the Mercantile line and familiar with the wants of this community, all of which will be sold at

THE LOWEST CASH PRICE,

or in exchange for

COUNTRY PRODUCE.

Their STOCK comprises almost every article usually kept in a RETAIL STORE. They consider it unnecessary to waste as much ink in enumerating their

GREAT VARIETY

of Goods, as some of their neighbors, but promise to exhibit as **large and well assorted** Stock of Goods as is to be found in this market and at as LOW RATES. We trust the public will not take our word alone, but call and examine for themselves before purchasing elsewhere.

JONES & BRYAN.

jan. 9-tf.

UNION ACADEMY.

THE SPRING SESSION WILL commence on the 23rd of February. Tuition from $5 to $15, in currency, per Session, according to grade of studies.
Board from $6 to $8 per month.
Location 4 miles South of Rutherfordton.
W. L. TWITTY, A. M.
feb.13-4t Principal.

Notice.

THE following sections of the Code of Civil Procedure are published for the benefit of all concerned.

§477.—Every executor, administrator, collector and guardian shall, within three months after his qualification or appointment, make return on oath to the Judge of Probate of all the estate in his hands or received by him up to that time; but such time may be extended by the Probate Judge, on good cause shown, not exceeding six months.

§478.—Every executor, administrator, collector and guardian shall, within twelve months from the date of his qualification or appointment, and annually, so long as one of the estate remains in his control, file, in the office of Judge of Probate, an inventory and account, under oath of the amount of property received by him, or invested by him, and the manner and naturre of such investment, and his receipts and disbursements,—the past year in the form of debits and credits He must produce vouchers, which must be filed with the Judge of Probate, for all payments. The Judge of Probate may examine on oath such accounting party, or any other person, concerning the receipts, disbursements or other matter relating to the estate; and, having carefully revised and audited such account, if he approve the same, he must endorse his approval thereon, which shall be deemed *prima facie* evidence of correctness

J. B. CARPENTER
Judge of Probate for Rutherford County.
feb. 13.4t. 4

Produce.

WILL be taken in exchange for work at the market price—

JUSTICE & CARRIER

For Sale.

2 GOOD two-horse WAGONS; one new; one second-hand.
2 BUGGIES.
1 one-horse WAGON.
We will exchange them for Corn or Green backs a fair rates. Apply at
42—tf THIS OFFICE

STEAM ENGINES & BOILERS

FROM 4 to 350 HORSE POWER, including the celebrated Corliss Cut off Engines, Slide Valve Stationary Engines, &c. Also, Circular, Mulay and Gang Saw Mills, Sugar Cane Mills, Shafting, Pullevs, &c., Lath and Shingle Mills Wheat and Corn Mills Circular Saws, Belting, &c. Send for descriptive Circular and Price List.

WOOD & MANN STEAM ENG. CO.,
Utica, New York.
feb 20-6m. (GPR&co.) 3-5

Repairing.

JOBS repaired and made new whenever wanted
jan30-tf JUSTICE & CARRIER.

NEW ADVERTISEMENTS.

LOCK HAVEN, PA.

Messrs. LIPPINCOTT & BAKEWELL: Pittsburg Pa

Gents:—We have been using your make of Gang Saws in our Mill, and find them, in point of quality, superior to any we have ever used. Yours, &c.,
SHAW, BLANCHARD & CO.
ORRIN SHAW, For'm'n.

JAMESTOWN, N. Y.

LIPPINCOTT & BAKEWELL.—We have no trouble with your saws; they don't need to be lined up with paper; we put them on the Mandrel and they get right along. Temper perfectly uniform and quality unsurpassed.
Respectfully, CHAS. J. FOX.

LIPPINCOTT & BAKEWELL,
Manufacturers of Circular, Mulay, Mill Gang and Cross-Cut Saws, Chopping Axes, all shapes. Colburn's Patent Axe. Shovels, Spades and Miles' Patent Covered Scoop.

PIANOS! PIANOS!! PIANOS!!!

"The Parlor Favorite,"

THE immense demand for this popular instrument has induced us to make as manufacture a specialty, and we are consequently induced to offer them at much lower rates than are charged for similar instruments by other makers. Inquire of resident dealers or send for our illustrated catalogue and price list. Address GEO. W. GUILD & CO.,
Piano Manufacturers, Boston, Mass.

Honey, Glycerine, Rose and Flower

Bouquet and Palm,

In Quality, Style and Perfume warranted equal to the English and sold fully 50 per cent cheaper, which accounts for the great falling off in the demand for the foreign soaps and the unprecedented success of the **American Company Toilet Soaps,** now sold everywhere in the United States.
McKEONE, VAN HAAGEN & CO, Sole Manf'rs,
Philadelphia and New York.

HUNTING AND TRAPPING.—Instructions by a hunter and trapper of long practical experience, with a diagram and dimensions for making trap. Also instructions How to Train Animals, including many amusing and wonderful tricks. Both for only ten cents. JESSE HANEY & CO., 119 Nassau st., New York.

AGENTS WANTED FOR

HOW TO MAKE THE FARM PAY,

How to double the value of land and the profits on stock, and how to raise three times the quantity of all farm crops to an acre. 750 pages and 140 beautiful and useful illustrations. Farmers, young men and experienced agents find it pays to canvass for this book. **$100 to $200 per month** according to ability and energy. For full particulars, address
ZEIGLER, McCURDY & CO., Philadelphia, Pa.

EARLY ROSE POTATO—American and Foreign Spring Wheat, Oats, Barley, Corn, Clover Seeds, Grass Seed, Hogs, Fowls, Best Fodder Cutter. Send for the Experimental Farm Journal, only 20 cents. Address GEO. A. DEITZ, Chambersburg, Pa

WANTED, AGENTS, $75 to $200 per month, everywhere, male and female, to introduce the GENUINE IMPROVED COMMON SENSE FAMILY SEWING MACHINE. This Machine will stitch, hem, fell, tuck, quilt cord, bind, braid, and embroider in a most superior manner. Price only $18. Fully warranted for five years. We will pay $1000 for any machine that will sew a stronger, more beautiful, or more elastic seam than ours. It makes the "Elastic Lock Stitch." Every second stitch can be cut, and still the cloth cannot be pulled apart without tearing it. We pay Agents from $75 to $200 per month and expenses, or a commission from which twice that amount can be made. Address SECOMB & CO., Pittsburgh, Pa., Boston, Mass., or St. Louis, Mo.

Caution.—Do not be imposed upon by other parties palming off worthless cast iron machines, under the same name or otherwise. Ours is the only genuine and really practical sewing machine manufactured.

THE PATENT MAGIC COMB,

Will color gray hair a permanent black or brown. Sold everywhere. Sent by mail for $1,25.
Address WM. EATON, Treasurer.
Magic Comb Company, Springfield, Mass.

AGENTS, FARMERS, GARDENERS and FRUIT GROWERS.—Send for particulars of 'Best' Improved Fruit Tree and Vine Invigorator and Insect Destroyer." Samples to test will be forwarded to any part of the United States and perfect satisfaction guaranteed. Good Agents are wanted in every County in the United States. Address J. HEARN, 63 Second Street, Baltimore, Md,

DANIEL WEBSTER wrote: "The longer I live the more highly do I estimate the Christian Sabbath, and the more grateful do I feel towards those who impress its importance on the community."—No. 1.

WANTED AGENTS TO SELL THE AMERICAN KNITTING MACHINE. Price $25. The simplest; cheapest and best Knitting Machine ever invented. Will knit 20,000 stitches per minute. Liberal inducements to Agents. Address AMERICAN KNITTING MACHINE CO., Boston, Mass., or St. Louis, Mo.

WANTED.—Salesmen, everywhere, farmers and others, for a New Article in great demand. $400 made by one agent his first month. Address immediately, Drawer 124, Louisville, Ky.

NEURALGIA.—Nervousness and Female Weakness Cured.—A Clergyman's Widow suffered for years with the above diseases, and for the benefit of like sufferers will send the means of her own cure free. Mrs. DIXI FRANKLIN, Jersey City, N. J.

A BLESSING TO LADIES.—Dr. Wm. Ray has discovered a simple plant that never fails to bring relief, when checked by cold or otherwise. These Vegetable Monthly Powders can be depended on by ladies in time and hour of need." Price, $5 per package, by mail, secure from observation. Address, in confidence, WM. RAY, M D., P.O. Box 4737, New York.

EVERY SPORTSMAN, FARMER and HORSEMAN, should send for our pamphlet of 20 pages, containing a full description of a new invention by which the most inveterate kickers, runaways and vicious horses can be driven with perfect safety. For breaking and training horses, it is better than Rarey's or any other system. Sent free. Address N. P. BOYER & CO., Parkesburg, Chester Co., Pa.

Great Distribution by the Metropolitan Gift Co.—Cash Gift to the amount of $250,000.—Every Ticket Draws a Prize.

5 Cash Gifts, each		$10,000
10		5,000
20		1,000
40 Cash Gifts each		$500
200		100
300		50
50 Elegant Rosewood Pianos each		$300 to $750
75 " " Melodeons	"	75 to 150
350 Sewing Machines	"	60 to 175
500 Fine Gold Watches	"	75 to 300

Cash Prizes, Silver Ware, &c., at $1,000,000.

A chance to draw any of the above Prizes for 25c. Tickets describing Prizes are *sealed* in Envelopes and well mixed. On receipt of 25c. a *Sealed Ticket* is drawn without choice and sent by mail to any address. The prize named upon it will be delivered to the ticket-holder on payment of *One Dollar*. Prizes are immediately sent to any address by express or return mail.

You will know what your Prize is before you pay for it. *Any Prize exchanged for another same value.* No Blanks. Our patrons can depend on fair dealing.

REFERENCES:—We select the following from many who have lately drawn Valuable Prizes and kindly permitted us to publish them: S. T. Wilkins, Buffalo, $5,000; Miss Annie Monroe, Chicago, Piano, $650; John D. Moore, Louisville, $1,000; Miss Emma Walworth, Milwaukee, Piano, $500; Rev. E. A. Day, New Orleans $500. We publish no names without permission.

OPINIONS OF THE PRESS:—"The firm is reliable, and deserve their success."—*Weekly Tribune, Aug. 8.* "We know them to be a fair dealing firm."—*N. Y. Herald, Aug. 28.* "A friend of ours drew a $500 prize, which was promptly received."—*Daily News, Sept. 3.*

Send for circular. Liberal inducements to Agents. Satisfaction guaranteed. Every package of Sealed Envelopes contain ONE CASH GIFT, Six Tickets for $1; 13 for $2; 35 for $5; 110 for $15. All letters should be addressed to
HARPER, WILSON & CO.,
173 Broadway, N. Y.

MARRING BUT NOBLE.—Self-help for Young Men, and who having erred, desire a better manhood. Sent in sealed envelopes, free of charge. If benefitted return the postage. Address PHILANTHROS, Box P. Philadelphia, Pa.

I HAVE MADE ADVERTISING A STUDY.

FOR TEN CENTS I will send to any one a list of the best Newspapers in the United States. I would once have paid a thousand dollar for the very information. Address Box 678, N. Y. City.

RUTHERFORDTON.

NEW

GOODS!

CHEAP GOODS!

DR. J. M. CRATON

RESPECTFULLY announces to his friends and customers, and the public generally, that he is now receiving a large and well assorted stock of NEW GOODS, direct from New York city, which he offers on the most reasonable terms. His stock consists of

FOREIGN AND DOMESTIC

DRY GOODS,

Broadcloths, Beavercloth for overcoats, casimeres, Rock Island Jeans, Bed Ticking, Large Bed Blankets, Sheetings, Shirtings, Domestics, and heavy goods of all kinds,
Gents' Furnishing Goods,

LADIES' DRESS GOODS,

Consisting in part of Alpacas, Poplins, All-Wool Delaines, Prints, Trimmings, a lot of good Shawls, Hats and Bonnets, Bonnet Ribbons, Laces, Braids, Hosiery, Gloves, Hoop Skirts, Corsets, Coates' Thread,
Buttons, Pins, &c., &c.,

HATS, CAPS, BOOTS AND SHOES,

of every variety, Sole and Upper Leather.

Hardware and Cutlery,

Pocket Knives, Knives and Forks, Scissors, Shears, Files of all sorts, Padlocks, Wool and Cotton Cards, Tea Kettles, Long Handle Shovels, &c., &c., &c.

STATIONERY,

Foolscap, Letter, and Note Paper, Envelopes, Pens, Pencils, Ink, Pass Books, &c.
A new supply of

Fresh Groceries,

Family Flour, a superior article, constantly on hand. Coffee, Sugar, Tea, Cheese, Crackers, Soda, Powder, Lead, Candles, Nuts, Oranges, Lemons, Raisins, Figs, and other Confections.

Christmas Nick-Nacks,

A large supply of Toys, Dolls, Drums, Bugles, Birds, Dogs, Cats, Buggies, &c.

FRESH DRUGS AND MEDICINES,

warranted pure and good.

PATENT MEDICINES,

Wine of Tar, for consumptives,
Rosadalis, the celebrated purifier of the blood,
Wistar's Balsam of Wild Cherry,
Cod Liver Oil,
All of Ayer's Medicines,
Worm Sugar Drops,

and a great variety of other Patent Medicines. I sell no medicine that I do not conscientiously recommend, and guarantee satisfaction in all sales.

Paints, Oils, Dye-Stuffs, Kerosene, Window Glass and Putty,

and a thousand and one other articles not enumerated, which I propose to sell on the most reasonable terms. Give me a call.

☞ Physicians furnished with all medicines they may require at low prices.

☞ Prescriptions carefully filled.

All kinds of produce, such as Corn, Rye, Oats, Wheat, Pork, Butter, eggs, Beeswax, Feathers, and everything that may be offered, taken in exchange for goods.

Call and get an Almanac for 1869.
dec19 47-tf J. M. CRATON.

LEGAL NOTICES.

LEGAL NOTICE.

The following sections of the Code of Civil procedure, ratified the 24th day of August, A. D. 1868, is published for the information of parties who have suits upon the Trial and Execution Dockets of the late Superior, County and Equity Courts:

SECTION 400. The Clerk of the Superior Courts at the request of a party thereto, within six months from the ratification of this act, and on the payment of a fee of one dollar, shall enter on a separate Docket, all suits which, at the ratification aforesaid, shall have been commenced, and in which final judgment has not been rendered in the late County Courts, Superior Courts of Law, and Courts of Equity of their respective counties.

"SEC. 401. And every suit not so transferred within the time aforesaid shall be abated, and the Clerk of the Superior Court shall tax the costs against the parties liable, and collect the same by the proper process.

"SEC. 403. Existing judgments and decrees not dormant, may in like manner be entered on the Execution Docket, and subsequent proceedings shall be as is proscribed for actions hereafter to be commenced, as far as shall be compatible with the previous proceedings, and no lien acquired before the ratification aforesaid, shall be lost by any change of process, occasioned by this act."

Persons having suits on my Dockets will take due notice and govern themselves accordingly.
J. B. CARPENTER, S. C. Clerk,
for Rutherford County.
42-124feb

STATE OF NORTH CAROLINA, } RUTHERFORD COUNTY. }

SUPERIOR COURT OF LAW IN VACATION.

MARY JONES, vs. The Heirs at Law of J. H. JONES. } Petition for Dower

A PETITION HAVING BEEN FILED IN my office, as above, and it appearing that Alexander Shields and wife Hulda two of the defendants are non-resident of the State, it is therefore ordered that publication be made in the *Star* a weekly newspaper published in the town of Rutherfordton for six weeks notifying said defendants to be and appear at the next term of said Court to be held for the County of Rutherford at the Court House in Rutherfordton, on the 3d Monday in March next, to show cause why said petition shall not be granted, or this case will be heard *exparte* as to them.

Witness, J. B. CARPENTER Clerk of said Court at office in Rutherfordton, 3rd Monday in September, A. D. 1868—this Jan'y 23rd, 1869.
J. B. CARPENTER, S. C. Clk
jan. 30-6t.

STATE OF NORTH CAROLINA, } RUTHERFORD COUNTY, }

SUPERIOR COURT OF LAW.

A. Harrill, R. Green, M. Green, N. Green, P. and others. vs. A. P. Green, W. O. Green, D. D. Robinson and wife, Nancy, and others. } Petition to sell Land.

A PETITION FOR SALE OF LAND FOR partition having been filed in my office, and oath having been made that A. P. Green, one of the defendants is a non resident of the State of North Carolina, it is therefore ordered that publication be made in the Rutherford *Star* for six weeks notifying the said A. P. Green that he be and appear at the next term of said Court to be held for the County of Rutherford, at the Court House in Rutherfordton on the 3rd Monday in March next, and answer said petition, or judgment *pro confessio* will be taken as to him.

Witness, J. B. CARPENTER, clerk of said court at office in Rutherfordton 3rd Monday in September A. D. 1868. Issued 4th February, 1869
J. B. CARPENTER, S. C. Clerk.
feb.6-6t. 3

Commissioners Notice.

THE Commissioners for Rutherford County will meet at the Court House, in Rutherfordton, on the 4th Saturday in this month (27th day) to transact such business as may come before the Court.

By order of the Commissioners.
R. J. WILLIAMS, Ex Officio.
feb 6-2t Clerk of the Board.

NEW YORK CITY.

Merchants' Protective Union

MERCANTILE REFERENCE

REGISTER.

THE MERCHANTS' PROTECTIVE Union, organized to promote and protect the trade, by enabling its subscribers to attain facility and safety in the granting of credits, and the recovery of claims at all points, have to announce that they will, on or about September 1st, 1868, publish in one large quarto volume:

THE MERCHANTS' PROTECTIVE UNION MERCANTILE REFERENCE REGISTER, containing, among other things, the NAMES, NATURE OF BUSINESS, AMOUNT OF CAPITAL, FINANCIAL STANDING, AND RATING AS TO CREDIT of over 400,000 of the principal merchants, traders, bankers, manufacturers and public companies, in more than 30,000 of the cities, towns, villages, and settlements, throughout the United States, their territories, and the British Provinces of North America; and embracing the most important information attainable and necessary to enable the merchant to ascertain at a glance the Capital, Character and degree of Credit of such of his customers as are deemed worthy of any gradation of credit.

The information to be given in the REGISTER will be confined to those deemed worthy of some line of credit; and as the same will be based, so far as practicable, upon the written statement of the parties themselves, revised and corrected by well-known and reliable legal correspondents, whose character will prove a guarantee of the correctness of the information furnished by them. It is believed that the reports will prove more truthful and complete, and, therefore, superior to and of much greater value, that any previously issued.

By aid of the MERCHANTS' PROTECTIVE UNION MERCANTILE REFERENCE REGISTER, business men will be enabled to ascertain, at a glance, the capital and gradation of credit, as compared with financial worth, of nearly every merchant, manufacturer, trader and banker, within the above named territorial limits.

On or about the first of each month, subscribers will receive the *Monthly Chronicle*, containing, among other things, a record of such important changes in the name and condition of firms throughout the country, as may occur subsequent to the publication of each half yearly volume of the *Mercantile Reference Register*:

Price of *The Merchants' Protective Union Mercantile Reference Register*, is fifty dollars, ($50) for which it will be forwarded to any address in the United States, transportation paid.

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Prospectus for 1869.

UNDER the head of *Literature*, will be included an original *Novel*, by a writer of high reputation and acknowledged talent; and numerous shorter *Tales, Sketches of Travel, History and Biography, Essays, Papers of Wit and Humor, Poetry and Miscellany.*

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Education, a topic of the highest importance in a country like the United States, will receive special attention.

It is not proposed to engage in partisan or sectarian warfare, but vital questions of the day will not be neglected; and the *Financial and Commercial* condition of the country will be handled by an able writer.

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It has, from its first appearance, entered the front rank of our monthlies. We commend it heartily.—*N. Y. Independent.*

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It is evidently destined to take position in the foremost rank of literary serials in America.—*Baltimore American.*

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POETRY.

THE WISHING CAP.

BY CHARLES MACKAY.

If fairy tales were true,
And fortunes were my lap,
I'll tell you what I'd do,
If I'd the wishing cap:
I'd make each maid a wife,
Who'd give both heart and hand;
And all domestic strife
I'd banish from the land.

No arm that wrought or plow'd,
Should ever toil in vain;
The great should not be proud,
The small should not complain;
The friendship of a friend
Should last through good and ill;
And, constant to the end,
Should guide the wanderer still.

All rulers should be just,
The people should be wise,
And swords and spears should rust,
For lack of enemies;
The triumphs of our time
Should bless the poorest lot,
And miser, and crime
Should die and be forgot.

THE GIRL WITH THE CALICO DRESS.

A fig for your upper-ten girls,
With their velvets and satins and laces,
Their diamonds and rubies and pearls,
And their milliner figures and faces;
They may shine at a party or ball,
Emblazoned with half they possess;
But give me in place of them all,
My girl with a calico dress.

She is as plump as a partridge, and fair
As the rose in its earliest bloom;
Her teeth will with ivory compare,
And her breath with the clover perfume;
Her step is as free and as light
As the fawn whom the hunters hard press,
And her eye is as soft and as bright,
My girl with the calico dress.

She is as cheerful, warm-hearted, and true,
And is kind to her father and mother,
She studies how much she can do
For her sweet little sister and brother;
If you want a companion for life,
To comfort, enliven and bless,
She is just the right sort of a wife,
My girl with a calico dress.

From the Southerner.

Questions for Farmers.

MR. EDITOR:—I have concluded to ask our Farmers a few questions, as the time is at hand when they should use every diligence in their power towards the preparation of the coming crop.

In the first place, how many are attending strictly to their business, or who is it that has nothing to do, or is too lazy, or proud to work?

If there is any that can find no employment it must be from their worthlessness; the sooner they die, or leave this section, the better it will be for them and the coutry.

Have you determined to practice the old custom of planting a large area of land, one third of which will not half pay the cost of cultivation, or have you determined to act the part of wisdom and plant none but what is so well prepared that it will pay under ordinary seasons?

How many of you intend to plant grain enough to make a sufficiency to run your farms next year?

Did you know one barrel of corn, or 100 lbs of hay made at home is nearly the equivalent of twice that amount purchased of others?

Is it good policy for you to make a large crop of cotton and pay one-half of it towards running the next crop for provisions?

Will not 2 or 2½ millions bales bring you as much money as 4,000,000?

Why not then make an ample sufficiency of grain? If the cotton crop of this year turns out as the cotton crop of 1867, how will you then stand? Will you not then agree it would have been better to have operated differently?

Do you not know the man who raises his corn and pork has better stock than he who has it to buy?

Why then will you practice what you know to be wrong? There is one that purposes to plant grain enough to make a full sufficiency under ordinary seasons, and that is JAMES.

DARK STABLES.—Any person who has felt the pain and inconvenience of coming suddenly from a dark room into the full blaze of day will easily conceive the necessity of lighting a stable in a proper manner. This is too often negleted in confined stables, and the consequences are more distressing in a humane observer. The poor horse, led suddenly out to his work, shows his pain in unmistakable expressions, stumbles and runs againts anything that may happen to be near, until the eye has in some degree accommodated itself the new circumstances under which it is placed. Nor is this all. By a continuance of this change from darkness to sudden daylight the eye becomes seriously injured. The retina, or sensible never, becomes dull, and more or less useless, the horse's sight is injured, he starts and shies at objects which he sees imperfectly, and many a rider who has received a dangerous injury has had to thank his intention to this simple cause rather than any vicious habit of the animal, to which it has been attributed.

BEDDING AND FEEDING MILCH COWS.—First in respect to bedding. Now, when straw and all kinds of bedding sell high for cash, farmers felt the want of an article that they can really afford to use as liberally as in former times. Hence, cows oxen, horses, and pigs are not unfrequetly left without sufficient bedding for comfort. It is an acknowledged fact among stock feeders, that the more comfortable domesticated animals are made the less food eaten, and the better the condition of the animals.

Milch cows must also be well fed if they are to produse well; for it is admitted by all thinking farmers, that it is vain to look for anything in the pail that has not gone in at the cow's mouth. Meal, shorts, roots, potatoes, or some such feed should supplement good English hay at this season of the year, and so on till the cows are turned out to grass. Many suffer from small messes of milk all summer in consequence of small messes of feed at the present season. No one fails to be the gainer who feeds and beds his cows well.

PERMANGANATE OF POTASSA.—It is asserted, is the most effectual agent in deodorizing and cleansing old cider and beer barrels, musty cans, and bottles. It is stated that a pint of the permanganate turned into the most rusty, filthy cider or beer casks and rinsed about a few moments, will entirely decompose all fungoid growths and fermenting matter, and render the cask as sweet as those that are new. The deodorizing, disinfecting power of the permanganate, holding as it does five exqivalents of oxygen, is reported to be wonderful; it will even deodorize carbolic acid. The only way to remove immediately the odor of carbolic acid from the hands is to emmerse them in the liquid permanganate. The officinal solution contains four grains to the permanganate of potassa to one fluid ounce of water.

☞ It appears that ladies at the meetings of the New York Farmers' Club, and take part in the proceedings. At a late meeting, after a long dispute between the respective advocates of shallow ploughing and deep ploughing, Mrs. Hallock, weary with so much repetition and indefinite talk, asked respectfully how long they were going to continue the repetition of opinions without satisfactory proof, one saying that shallow ploughing was best, and others that deep ploughing was best? What would be thought, said she, of a club of women who should spend a year discussing and contending whether little stitches or long stitches were best?

☞ Sheep reqire about three per cent. of their weight of hay or its equivalent per day, that is about three pounds for a sheep weighing in the neighborhood of one hundred pounds. But it is not good economy to confine them to hay alone. They do better on a variety of food, and roots of some kinds may be regarded as essential to their thrift. If regularly supplied with turnips or other roots, they will readily consume the stalks and straw, and do well on them, while without roots they require good hay.

COLORING BUTTER.—When yellow-tinted butter is desired in winter without the use of anatto, which is not a desirable commodity, carrots may be substituted. Take two large-sized carrots, clean thoroughly, then with the knife scrape off the yellow exterior, leaving the white pith, soak the yellow part in boiling milk for ten or fifteen minutes. Strain boiling hot into the cream; this gives the cream the desired temperature, colors it nicely, and adds to the sweetness of the butter.

DIRECTORY.

State Officers.

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TOD R. CALDWELL—*Lieut.-Governor.*
H. J. MENNINGER—*Secretary of State.*
DAVID A. JENKINS—*Treasurer.*
HENDERSON ADAMS—*Auditor.*
CEBERN L. HARRIS—*Sup. Pub. Works.*
SAMUEL S. ASHLEY—*Sup. Pub. Inst'n.*
WILLIAM M. COLEMAN—*Attor.-General*

Town Officers.

J. M. JUSTICE—Mayor.
J. V. WILKERSON, F. D. WOOD, R. W. LOGAN, J. K. DECK, } Commissioners
A. MOONEY—Marshall
A. D. K. WALLACE,—Clerk.

Rutherford County Officers,

(Elected under the New Constitution,)

MARTIN WALKER,—*Sheriff.*
A. P. HOLLIFIELD,—*Coroner.*
J. B. CARPENTER.—*Co Ct'k Superior Court.*
ELI MCARTHUR.—*Treasurer.*
R. J. WILLIAMS.—*Register of Deeds.*
A. J. SCOGGIN.—*Surveyor.*
J. M. ALLEN, B. W. ANDREWS, JOS. TAYLOR, C. J. SPARKS, H. H. HOPPER. } *Commissioners.*

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(Elected under the New Constitution.)

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JACKSON DALTON—*Coroner.*
R. S. ABRAMS—*County Ct'k Superior Court.*
J. A. THORN—*Register of Deeds.*
J. W. HAMPTON, SR.—*Treasurer.*
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J. H. DUNGAN—*Treasurer.*
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JOSIAH WISEMAN—*Surveyor.*
JOHN ROSS, JAMES LEDBETTER, J. W. MCCALL, J. J. FALKNER, J. C EVANS. } *Commissioners.*

Mail Arrangements.

Cherryville Mail—arrives Mondays, Wednesdays and Fridays at 12 m. Leaves for Cherryville the same days at 1 p. m
Asheville Mail—arrives Mondays and Fridays at 6 p. m. Leaves, for Asheville, Tuesdays and Saturdays at 6 a. m.
Greenville Mail—arrives Saturdays at 7 p. m. Leaves Thursdays at 6 a. m.
Columbus Mail—arrives Tuesdays at 7 p. m. Leaves Tuesdays at 6 a. m.
Morganton Mail—arrives Saturdays at 7 p. m Leaves Fridays at 6 a. m.
County Mail——arrives Thursdays at 12 m. Leaves same day at 1 p. m.
Marion Mail——arrives Tuesdays and Fridays at 6 p. m Leaves Wednesdays and Saturdays at 6 a. m.

Town Ordinances.

1. Be it ordained by the Commissioners of Rutherfordton, and it is hereby ordained by the authority of the same, That a tax be, and the same is hereby laid of 15 cents on each One Hundred Dollars worth of real taxable property within the limits of said Town, for the year 1868, according to the assessment of 1868.
2. Be it further ordained That all persons liable to pay tax within the corporation be required to deliver to the Town Mayor on or before the 15th day of May, 1868, a list of all real taxable property for which they may be liable.—Any person failing to render such list shall be liable to a double tax, and the Mayor is hereby authorized to enforce this ordinance strictly according to Law.
3. Be it further ordained, That all the male citizens within the incorporate limits of said Town, liable by law to work on public roads, be and they are hereby required to work on the public streets and roads in the corporate limits of said Town six days in the year or forfeit to the Mayor one dollar for each day they fail. Provided, That in the discretion of the Mayor such service may be rendered by substitute.
4. Be it further ordained, That the Mayor shall have power to divide the hands liable to work the streets and roads into companies, and order them to work on the streets or roads at any time or place he may deem necessary.—Provided, That he cannot require them to work more than six days in the year.
5. Be it further ordained, That any person who shall ride or hitch any horse, or other animal, on the side walks of the streets of the Town shall forfeit and pay a fine of One Dollar for the first and Two Dollars for each additional offence, to be collected and expended as other taxes for improvement of the Town.
6. Be it further ordained, That a tax of Twenty-Five Dollars be and is hereby levied on all retailers of Spirituous Liquors in quantities less than five gallons, Provided the sale of liquors by regular Physicians, strictly for medicinal purposes, shall be excepted from the operation of this ordinance.
7. Be it further ordained, That a tax of Five Dollars be laid upon all itenerant persons not residents of said county, who shall offer for sale any Goods, Wares or Merchandise within the limits of said Town.
8. Be it further ordained, That a tax of Ten Dollars be imposed for the exhibition of Equestrian and Menagerie performances, and a tax of Five Dollars is imposed upon all Shows generally known as Side-Shows, Slight-of-Hand, Magic Lanterns, or other exhibitions for pay, for each day or night shown or exhibited within the corporation.
9. Be it further ordained, That a fine of One Dollar be and is hereby imposed on all persons who shall discharge fire arms of any kind within the incorporation, except that portion of said incorporation lying east of the branch, east of said Town.

J. M. JUSTICE, *T. M.*
A. D. K. WALLACE, *Clerk.*

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UNIVERSALLY acknowledged the Model Parlor Magazine of America, devoted to Original Stories, Poems, Sketches, Household Matters, Gems of Thought, Personal and Literary Gossip (including special departments on Fashions), Instructions on Health, Music, Amusements, etc., by the best authors, and profusely Illustrated with costly engravings, useful and reliable Patterns, embroideries, and a constant succession of artistic novelties, with other useful and entertaining literature.

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RUTHERFORDTON.

The Star

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Successor to DAVIS & TOULMIN,
38 DEY ST., New York.

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Messrs. Davis & Toulmin: Gentlemen—The splendid Amalgam Bell we purchased of you last Spring is in use every day. The "Belton Academy" Bell weighs 400 pounds, and has been heard four miles. It gives general satisfaction.
Yours truly.
MILLER & CHAMBERLAIN.

BUENA VISTA, S. C., March 14, 1867.
Messrs. Davis & Toulmin; Dear Sirs—The "Amalgam Bell" bought of your Firm has been in use over three months, and we are greatly pleased with it. Yours respectfully,
LESTER & BROTHERS.
4s-1y. (A.A.A.) 21

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20			1,000
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200			100
300			50
50 Elegant Rosewood Pianos each			$300 to $750
75 " " Melodeons		"	75 to 150
350 Sewing Machines		"	60 to 175
500 Fine Gold Watches		"	75 to 300
Cash Prizes, Silver Ware, &c., at			$1,000,000.

A chance to draw any of the above Prizes for 25c: Tickets describing Prizes are *sealed* in Envelopes and well mixed. On receipt of 25c. a *Sealed Ticket* is drawn without choice and sent by mail to any address. The prize named upon it will be delivered to the ticket-holder on payment of *One Dollar*. Prizes are immediately sent to any address by express or return mail.

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